

1984

Session Law 84-142

Florida Senate & House of Representatives

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Florida Legislature

History of Legislation 1984 Regular Session

RE: CH. 29-142

CS/HB 183 (passed)

CS/SB 213 (substituted)



prepared by:

Joint Legislative Management Committee

Legislative Information Division
Capitol Building, Room 826 — 488-4371

07/10/84 16 32

HISTORY OF HOUSE BILLS

PAGE 63

07/10/84 16 32

HISTORY OF HOUSE BILLS

PAGE 64

H 0179 03/02/84 HOUSE Withdrawn -HJ 00025

H 0180 GENERAL BILL/CS by Community Affairs, Jones, C F
Relief/Laker Holes; (Polk Co) compensates city for construction of water well Claim with Appropriation \$1,190.517 Effective Date 07/01/84
 12/09/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Community Affairs, Judiciary, Appropriations
 01/20/84 HOUSE On Committee agenda-- Subcomm, Comm Aff, 314HOB, after full comm, 2/8/84
 02/17/84 HOUSE On Committee agenda-- Community Affairs, 314 HOB, 8 30 am, 03/07/84
 04/03/84 HOUSE Introduced, referred to Community Affairs, Judiciary, Appropriations -HJ 00025
 04/09/84 HOUSE Comm Report CS by Community Affairs -HJ 00155, Now in Judiciary
 06/01/84 HOUSE Died in Committee on Judiciary

H 0181 GENERAL BILL by Jones, C F
Cigarettes, clarifies language to specify that cigarette tax is excise tax on ultimate consumer or purchaser, prohibits dealers from absorbing tax exempts sales by retail Indian dealers to Indians on reservation lands, provides procedures for collection, etc Amends Ch 210, repeals 210 05(5) Effective Date 09/01/84
 12/09/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Regulated Industries & Licensing, Finance & Taxation, Appropriations
 01/19/84 HOUSE Subreferred to Subcommittee on Alcoholic Beverages and Tobacco
 01/20/84 HOUSE On Committee agenda-- Subcomm., R. I & L, 413 C, 9 00 am, 02/08/84
 04/03/84 HOUSE Introduced, referred to Regulated Industries & Licensing, Finance & Taxation, Appropriations -HJ 00025, Subreferred to Subcommittee on Alcoholic Beverages and Tobacco, On Committee agenda-- Subcomm, R I & L, 415 HOB, 3 30 pm, 04/05/84
 06/01/84 HOUSE Died in Committee on Regulated Industries & Licensing

H 0182 GENERAL BILL/CS by Criminal Justice, Kutun, Cosgrove, Sample and others (Similar CS/S 0100, S 0224)
Boating Safety; prohibits operation of a vessel while intoxicated, provides punishment; provides tests to determine intoxication or impairment, provides for right to refuse, authorizes use of blood tests in cases of death or serious bodily injury, provides for fines, etc Amends Ch 327 Effective Date 10/01/84
 12/12/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Criminal Justice, Appropriations
 01/09/84 HOUSE Subreferred to Subcommittee on Criminal Code
 02/15/84 HOUSE On Committee agenda-- Criminal Justice, 314 HOB, 1:30 pm, 03/05/84
 04/03/84 HOUSE Introduced, referred to Criminal Justice, Appropriations -HJ 00025, Subreferred to Subcommittee on Criminal Code
 04/10/84 HOUSE On Committee agenda-- Criminal Justice, 314 HOB, 3 30pm, 04/11/84
 04/18/84 HOUSE Comm Report CS by Criminal Justice -HJ 00236, Now in Appropriations
 05/21/84 HOUSE Withdrawn from Appropriations -HJ 00507, Placed on Calendar
 05/24/84 HOUSE Placed on Special Order Calendar
 05/29/84 HOUSE CS/SB 100 was taken up in lieu of CS/HB 182 -HJ 00745
 06/01/84 HOUSE Died on Calendar, Iden./Sim /Compare Bill passed, refer to CS/SB 100 (Ch. 84-188)

H 0183 GENERAL BILL/CS by Finance & Taxation, Richmond (Similar CS/S 0813, Compare CS/S 0086)
Alcoholic Beverages, authorizes issuance of vendor's licenses to certain manufacturers of malt beverages provides for licensing of alcoholic
 CONTINUED ON NEXT PAGE

beverage sales in certain theme park complexes, provides additional license taxes, etc Amends 561 221..42, 565 02 Effective Date 06/11/84
 12/13/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Regulated Industries & Licensing, Finance & Taxation, Appropriations
 01/19/84 HOUSE Subreferred to Subcommittee on Alcoholic Beverages and Tobacco
 04/03/84 HOUSE Introduced, referred to Regulated Industries & Licensing, Finance & Taxation, Appropriations -HJ 00025, Subreferred to Subcommittee on Alcoholic Beverages and Tobacco
 04/04/84 HOUSE Comm. Report Favorable with amend by Regulated Industries & Licensing -HJ 00122, Now in Finance & Taxation
 04/06/84 HOUSE On Committee agenda-- Subcomm, F & T, 16 HOB, 3:30 pm, 04/10/84
 04/10/84 HOUSE On Committee agenda, pending subcommittee action-- F & T, 21 HOB, 1 15 pm, 04/12/84; On Committee agenda-- For subreferral, F, & T, 21 HOB, 1 15 pm, 04/12
 04/20/84 HOUSE Comm Report CS by Finance & Taxation -HJ 00251, Now in Appropriations
 05/02/84 HOUSE Withdrawn from Appropriations -HJ 00286, Placed on Calendar
 05/10/84 HOUSE Placed on Special Order Calendar
 05/14/84 HOUSE CS read first and second times -HJ 00411
 05/21/84 HOUSE Read third time, CS passed, YEAS 105 NAYS 1 -HJ 00489
 05/21/84 SENATE In Messages
 05/24/84 SENATE Received, referred to Commerce, Finance, Taxation and Claims -SJ 00404
 05/29/84 SENATE Withdrawn from Commerce, Finance, Taxation and Claims; Substituted for CS/SB 813, Passed as amended, YEAS 29 NAYS 2 -SJ 00521
 05/29/84 HOUSE In Messages
 05/30/84 HOUSE Concurred, CS passed as amended, YEAS 110 NAYS 3 -HJ 00848
 05/30/84 Ordered engrossed, then enrolled
 06/01/84 HOUSE Signed by Officers and presented to Governor -HJ 01292
 06/11/84 Approved by Governor Chapter No 84-142

H 0184 GENERAL BILL by Corrections, Probation & Parole (Similar CS/S 0201, Compare H 0730, S 0439)
State Buildings & Premises, defines "high-hazard occupancy" requires all construction, renovation, alteration, or change of occupancy of any new or existing state-owned or state-leased space to comply with uniform fire-safety standards of State Fire Marshal, etc Amends Chs 633, 255, 281. Effective Date. 06/11/84
 12/13/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Governmental Operations, Appropriations
 12/19/83 HOUSE Subreferred to Subcommittee on Executive Reorganization
 01/11/84 HOUSE Comm Report Favorable with amend by Governmental Operations, Now in Appropriations
 04/03/84 HOUSE Introduced, referred to Governmental Operations, Appropriations -HJ 00026, Subreferred to Subcommittee on Executive Reorganization, Comm Report: Favorable with amend, by Governmental Operations -HJ 00113, Now in Appropriations, Subreferred to Subcommittee on General Government (Sub II)
 04/10/84 HOUSE On Committee agenda-- Subcomm, Appropriations, 214 C, 8 00am, 04/12
 04/23/84 HOUSE On Committee agenda-- Appropriations, 21 HOB, 8:00 am, 04/25/84
 04/30/84 HOUSE Comm. Report Favorable with amend., placed on Calendar by Appropriations -HJ 00277
 05/18/84 HOUSE Placed on Special Order Calendar
 05/21/84 HOUSE Read second time, Amendments adopted -HJ 00502
 05/22/84 HOUSE Read third time, Passed as amended, YEAS 113 NAYS 0
 CONTINUED ON NEXT PAGE

07/10/84 16 32

HISTORY OF SENATE BILLS

PAGE 277

07/10/84 16 32

HISTORY OF SENATE BILLS

PAGE 278

unit, creates Electric-Charges-in-Aid-of-Construction Trust Fund, requires P S C. to adopt rules to implement act, etc. Creates 366 90- 96 Effective Date Upon becoming law
 04/09/84 SENATE Filed
 04/12/84 SENATE Introduced, referred to Commerce, Economic, Community and Consumer Affairs, Appropriations -SJ 00107
 04/25/84 SENATE Withdrawn from Commerce, Economic, Community and Consumer Affairs, Appropriations, Indefinitely postponed SJ 00168

S 0812 GENERAL BILL/CS by Judiciary-Criminal, Carlucci (Similar Eng/H 0799, Compare H 1067)
Kidnapping & False Imprisonment, clarifies definition of aggravated child abuse, provides for crimes involving kidnapping & false imprisonment of children under age of 13, provides penalties Amends 827 03 Effective Date, 10/01/84
 04/09/84 SENATE Filed
 04/12/84 SENATE Introduced, referred to Judiciary-Criminal Appropriations -SJ 00107
 04/25/84 SENATE Extension of time granted Committee Judiciary-Criminal
 05/04/84 SENATE Extension of time granted Committee Judiciary-Criminal
 05/08/84 SENATE On Committee agenda-- Judiciary-Criminal, Temporarily postponed
 05/14/84 SENATE On Committee agenda-- Judiciary-Criminal, 05/16/84, 2:00 pm, Rm C
 05/16/84 SENATE Comm Report: CS by Judiciary-Criminal -SJ 00298; CS read first time 05/17/84 -SJ 00299
 05/17/84 SENATE Now in Appropriations -SJ 00298
 05/23/84 SENATE Withdrawn from Appropriations -SJ 00373, Placed on Calendar
 06/01/84 SENATE Placed on Consent Calendar, Iden /Sim House Bill substituted, Laid on table under Rule, Iden./Sim /Compare Bill passed, refer to HB 799 (Ch 84-238) -SJ 00717

S 0813 GENERAL BILL/CS by Commerce, Stuart (Similar CS/H 0183)
Alcoholic Beverages, authorizes issuance of vendor's licenses to certain manufacturers of malt beverages; provides for licensing of alcoholic beverage sales in certain theme park complexes; authorizes division to promulgate rules governing promotional displays, etc. Amends 561 221, 42, 565 02 Effective Date Upon becoming law
 04/09/84 SENATE Filed
 04/12/84 SENATE Introduced, referred to Commerce, Finance, Taxation and Claims -SJ 00108
 04/26/84 SENATE Extension of time granted Committee Commerce
 05/04/84 SENATE On Committee agenda-- Commerce, 05/08/84, 2 00 pm, Rm A
 05/08/84 SENATE Comm Report: CS by Commerce -SJ 00245, CS read first time 05/10/84 -SJ 00246
 05/10/84 SENATE Now in Finance, Taxation and Claims -SJ 00245, On Committee agenda- Finance, Tax. & Claims, 05/14/84, 2 00 pm, Rm 1C
 05/14/84 SENATE Comm Report Favorable, placed on Calendar by Finance, Taxation and Claims -SJ 00277
 05/29/84 SENATE Placed on Special Order Calendar, Iden /Sim House Bill substituted, Laid on table under Rule, Iden /Sim /Compare Bill passed, refer to CS/HB 183 (Ch. 84-142) -SJ 00521

S 0814 GENERAL BILL by Mann and others (Compare H 0982, S 0499, S 0806, S 0807)
Environmental Control, authorizes state land planning agency to join in certain administrative proceedings re environment, expands types of actions that certain governmental entities may maintain to protect environment, eliminates certain required bonds, etc. Amends 380 032, 403 412 Effective Date 10/01/84
 04/09/84 SENATE Filed
 04/12/84 SENATE Introduced, referred to Natural Resources and Conservation, Economic, Community and Consumer Affairs,
 CONTINUED ON NEXT PAGE

04/12/84 Appropriations -SJ 00108
 04/25/84 SENATE Extension of time granted Committee Natural Resources and Conservation
 05/04/84 SENATE Extension of time granted Committee Natural Resources and Conservation
 05/16/84 SENATE Extension of time granted Committee Natural Resources and Conservation
 05/28/84 SENATE Extension of time granted Committee Natural Resources and Conservation
 06/01/84 SENATE Died in Committee on Natural Resources and Conservation

S 0815 LOCAL BILL by Plummer (Identical H 0973)
Key West/Utility Board, increases amount above which public bidding is required for construction, reconstruction, repairs, or work of any nature contracted by Utility Board of Key West, increases amount above which public bidding is required for purchasing of supplies, equipment, machinery, etc Effective Date 05/30/84
 04/09/84 SENATE Filed
 04/12/84 SENATE Introduced, referred to Rules and Calendar -SJ 00108
 04/24/84 SENATE Considered, placed on Local Calendar by Rules and Calendar -SJ 00164
 04/25/84 SENATE Passed, YEAS 37 NAYS 0 -SJ 00171
 05/01/84 HOUSE In Messages
 05/02/84 HOUSE Received, referred to Community Affairs -HJ 00279
 05/07/84 HOUSE On Committee agenda-- Community Affairs, 314 HOB, 4:30pm, 05/09/84
 05/09/84 HOUSE Comm Report Favorable, placed on Calendar by Community Affairs -HJ 00352
 05/10/84 HOUSE Placed on Local Calendar
 05/14/84 HOUSE Substituted for HB 973, Read second and third times, Passed, YEAS 116 NAYS 0 -HJ 00389, Immediately certified
 05/14/84 Ordered enrolled -SJ 00260
 05/22/84 SENATE Signed by Officers and presented to Governor -SJ 00391
 05/30/84 Became Law without Governor's Signature Chapter No 84-457 -SJ 00534

S 0816 GENERAL BILL/CS by Governmental Operations, Stuart (Similar CS/H 1109, Compare Eng/H 1039)
Printing, amends provision re internal printing oversight committees, changes amount for publications required to be reported by committees, deletes expected costs from contents of a report, requires that certain publications display statement of cost & purpose, etc Amends 283.30, 31, 315, 52 Effective Date 07/01/84
 04/09/84 SENATE Filed
 04/12/84 SENATE Introduced, referred to Governmental Operations, Rules and Calendar, Appropriations -SJ 00108
 04/20/84 SENATE On Committee agenda-- Governmental Operations, 04/24/84, 9 00 am, Rm H
 04/24/84 SENATE Comm Report CS by Governmental Operations -SJ 00180, CS read first time 04/27/84 -SJ 00187
 04/28/84 SENATE Now in Rules and Calendar -SJ 00180
 05/09/84 SENATE Extension of time granted Committee Rules and Calendar
 05/15/84 SENATE Withdrawn from Rules and Calendar -SJ 00257, Now in Appropriations
 05/17/84 SENATE Withdrawn from Appropriations -SJ 00326, Placed on Calendar
 05/29/84 SENATE Placed on Special Order Calendar, CS passed, YEAS 30 NAYS 0 -SJ 00521
 05/29/84 HOUSE In Messages
 05/30/84 HOUSE Received, referred to Governmental Operations -HJ 00844
 06/01/84 HOUSE Died in Committee, Iden /Sim /Compare Bill passed, refer to HB 1039 (Ch. 84-254)

S 0817 GENERAL BILL by Neal and others (Compare CS/H 1312, CS/S 0517)
Outdoor Advertising; clarifies D O T 's authority to deny & revoke licenses, provides restrictions on placement of signs, requires that
 CONTINUED ON NEXT PAGE

COMMITTEE ON REGULATED INDUSTRIES & LICENSING

HB 183

SPONSOR(S): Finance & Tax, and Rep. Ron Richmond

RELATING TO: Alcoholic Beverage Licenses

OTHER COMMITTEES OF REFERENCE: F & T and Appropriations

COMPANION/SIMILAR: CS/SB 813

June 13, 1984

I. SUMMARY

A. Present Situation

Section 561.221, F.S., permits beer manufacturers to own or control up to three vendor's licenses if the licensed premises are located on property contiguous to the manufacturing premises.

Current law requires in most cases that alcoholic beverage licenses be issued for specific permanent buildings only. A theme park complex with several locations serving alcoholic beverages would need a separate license for each location.

A manufacturer's or distributor's ability to furnish a vendor with advertising or promotional materials is restricted by the state's Tied House Evil law.

B. Effect on Present Situation

The bill authorizes the Division of Alcoholic Beverages and Tobacco to issue additional vendor's licenses to the Busch Gardens Complex in Tampa.

It also authorizes the Division to issue a master license to cover additional bars established in certain theme park complexes according to a fee structure based on the number of additional bars.

The bill directs the Division to make rules regarding advertising and promotional displays consistent with Federal Tied House Evil regulations.

II. PRIVATE SECTOR/STATE/LOCAL FISCAL IMPACT

Any license tax revenue loss to the state would be minimal.

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Page 2
Staff Report - CS/HB183
June 13, 1984

III. COMMENTS

None

IV. AMENDMENTS

None

Prepared by: Bill Ryan

Staff Director: Bill Ryan

Journal
of the
S E N A T E
State of Florida

SIXTEENTH REGULAR SESSION
UNDER THE CONSTITUTION AS REVISED IN 1968
APRIL 3 THROUGH JUNE 1, 1984



nty Affairs and modifying definitions and terminology to conform, extending the life of the Farmworker Housing Assistance Trust Fund, clarifying eligibility requirements, extending the life of the Farmworker Housing Assistance Act, providing for transfer of powers, duties, functions, records, property, etc ; providing an effective date.

—a companion measure, was substituted for CS for SB 501 and read the second time by title

Senator Kirkpatrick moved the following amendments which were adopted

Amendment 1—On page 7, between lines 16 and 17, insert.

Section 7. Section 420 206, Florida Statutes, is amended to read:

420.206 Rules and regulations, annual report.—The secretary is authorized to promulgate rules and regulations, on or before February 1, 1975, necessary to establish terms and conditions that will insure that the purposes of this part are carried out and the state's interests are adequately protected. The secretary shall submit to the Governor by June 30 an annual report with complete details of the amount granted and loaned, interest earned, grant and loan recipients, persons housed, and the balances on all loans outstanding at the end of each fiscal year

Section 8 Section 420.211, Florida Statutes, is amended to read

420 211 Expiration of grant and lending authority—The grant and lending authority granted to the secretary under this part shall expire June 30, 1985. All unencumbered and repaid funds after this date shall revert and be transferred to the General Revenue Fund of the state, unallocated. Loan repayments received in the fund after June 30, 1985, shall revert and be transferred to the General Revenue Fund, unallocated, as they are received.

(Renumber subsequent sections)

Amendment 2—In title, on page 1, line 10, insert. , s 420 206, and s 420 211

On motion by Senator Kirkpatrick, by two-thirds vote CS for HB 146 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Beard	Frank	Johnston	Rehm
Carlucci	Gersten	Kirkpatrick	Scott
Castor	Girardeau	Langley	Stuart
Childers, D	Grant	Malchon	Thomas
Childers, W D	Grizzle	Mann	Thurman
Crawford	Hair	Meek	Weinstein
Deratany	Henderson	Myers	
Dunn	Hill	Neal	
Fox	Jennings	Plummer	

Nays—None

Vote after roll call.

Yea—Jenne

CS for SB 501 was laid on the table

Senator Crawford presiding

CS for SB 816—A bill to be entitled An act relating to public printing, amending s 283 30, F.S., providing definitions, amending s 283 31, F.S., relating to internal printing oversight committees, changing the amount for publications that is required to be reported by the committees, deleting expected costs from the contents of a report, amending s 283 315, F.S., deleting the term "public document" and replacing it with the term "publication" as defined in the chapter; requiring that certain publications display a statement of cost and purpose, deleting a report on publications required of the Auditor General, amending s 283 52, F.S., providing for distribution of session laws, providing an effective date

—was read the second time by title. On motion by Senator Stuart, by two-thirds vote CS for SB 816 was read the third time by title, passed and certified to the House. The vote on passage was.

Yeas—30

Beard	Fox	Hill	Plummer
Carlucci	Frank	Jennings	Rehm
Castor	Gersten	Johnston	Stuart
Childers, D	Girardeau	Langley	Thomas
Childers, W D	Grant	Malchon	Thurman
Crawford	Grizzle	Mann	Weinstein
Deratany	Hair	Meek	
Dunn	Henderson	Myers	

Nays—None

Vote after roll call

Yea—Jenne, Kirkpatrick

On motions by Senator Stuart, the rules were waived and by two-thirds vote CS for HB 183 was withdrawn from the Committees on Commerce and Finance, Taxation and Claims.

On motion by Senator Stuart—

CS for HB 183—A bill to be entitled An act relating to alcoholic beverages, amending s 561 221, F.S., authorizing the issuance of vendor's licenses to certain manufacturers of malt beverages, amending s 565 02, F.S., providing for licensing of alcoholic beverage sales in certain theme park complexes, providing additional license taxes, providing an effective date

—a companion measure, was substituted for CS for SB 813 and read the second time by title.

Senator Mann moved the following amendment which was adopted:

Amendment 1—On page 2, strike all of lines 30 and 31 and insert:

Section 3 Subsection 12 of Section 561 42 is amended to read:

(12) Any manufacturer or distributor may give, lend, furnish, or sell to a vendor who sells the products of such manufacturer or distributor neon or electric signs, window painting and decalcomanias, posters, placards, and other advertising material herein authorized to be used or displayed by the vendor in the interior of his licensed premises. The division shall make reasonable rules governing promotional displays and advertising which rules shall not conflict with or be more stringent than the federal regulations pertaining to such promotional displays and advertising furnished vendors by distributors and manufacturers

Section 4 This act shall take effect upon becoming a law.

Senator Stuart moved the following amendment which was adopted.

Amendment 2—In title, on page 1, line 8, after the semicolon (;) insert authorizing the division to promulgate rules governing promotional displays and advertising;

On motion by Senator Stuart, by two-thirds vote CS for HB 183 as amended was read the third time by title, passed and certified to the House. The vote on passage was.

Yeas—29

Beard	Frank	Kirkpatrick	Rehm
Carlucci	Gersten	Malchon	Stuart
Castor	Girardeau	Mann	Thomas
Childers, W D	Grant	Margolis	Thurman
Crawford	Grizzle	Meek	Weinstein
Deratany	Henderson	Myers	
Dunn	Hill	Neal	
Fox	Jennings	Plummer	

Nays—2

Childers, D Langley

Vote after roll call

Yea—Hair, Jenne

CS for SB 813 was laid on the table

CS for SB 746—A bill to be entitled An act relating to the Department of Transportation, authorizing the department to covenant to complete a revenue producing project for the Orlando-Orange County expressway system, providing certain conditions, providing an effective date

REVISED: _____

BILL NO. SB 813

DATE: May 4, 1984

Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Livingston</u>	<u>Martin</u>	1. <u>Com.</u>	_____
2. _____	_____	2. <u>FT & C</u>	_____
3. _____	_____	3. _____	_____

SUBJECT:

Alcoholic Beverages

BILL NO. AND SPONSOR:

SB 813 by
Senator Stuart

I. SUMMARY:

A. Present Situation:

Currently, section 565.02, Florida Statutes, specifies various alcoholic beverage license fees and license classifications. These classifications include licensees who are authorized to sell alcoholic beverages for on-premises consumption, regardless of alcoholic content.

The sale of alcoholic beverages under the authority of an alcoholic beverage license is confined to the licensed premises only. The application for the license must include the location of the place of business and a sketch describing the premises.

Rules of the Division of Alcoholic Beverages and Tobacco require that licenses may only be issued for a permanent location. However, the rule also provides for a transit license for vendors selling beverages on airplanes, ships and similar means of transportation.

The authority to sell beverages under a license does not include authority to go outside the boundaries of the premises. An additional license would have to be obtained for the additional facilities.

B. Effect of Proposed Changes:

The bill provides for the issuance of a master alcoholic beverage license which would authorize various bar locations at theme park entertainment complexes.

The bill specifies that vendors may operate at various locations on the grounds of the theme park if:

1. consumption on premises only is allowed;
2. the complex is composed of at least 25 enclosed acres of land;
3. there are permanent exhibitions in the complex;
4. there is a variety of recreational activity available;
5. at least 1 million visitors annually pay an admission fee at the complex and pass through a controlled entrance and exit;
6. the complex is owned, managed, controlled, and operated by the vendor; and
7. the additional tax specified in the bill is paid.

REVISED: _____

BILL NO. SB 813

DATE: May 4, 1984

Page 2

The bill imposes a tax in an amount of \$1,500 for up to 5 bar locations and a tax of \$2,500 for bar locations which exceed 5.

The bill provides that, for purposes of the beverage license, the applicant must submit an extended sketch of the premises.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

The bill would authorize the sale and consumption of alcoholic beverages on licensed property under the special conditions provided for in the bill. The applicant for this special license would be required to pay the license fee based on the number of locations where beverages would be sold.

B. Government:

The Division of Alcoholic Beverages and Tobacco could anticipate some additional licensed tax revenue due to the new fee created in the bill. The division indicated the provisions of the bill could impact a number of theme park complexes, but a total revenue increase is not expected to be significant.

III. COMMENTS:

None.

REVISED: May 9, 1984

BILL NO. CS/SB 813

DATE: May 4, 1984

Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

	<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1.	<u>Livingston</u>	<u>Martin</u>	1. <u>Com.</u>	<u>Fav./CS</u>
2.	<u> </u>	<u> </u>	2. <u>FT & C</u>	<u> </u>
3.	<u> </u>	<u> </u>	3. <u> </u>	<u> </u>

SUBJECT:

Alcoholic Beverages

BILL NO. AND SPONSOR:

CS/SB 813 by Commerce and
Senator Stuart

I. SUMMARY:

A. Present Situation:

Currently, section 561.22 prohibits the issuance of alcoholic beverage vendor (retail) licenses to persons licensed as distributors and manufacturers under the beverage law. Section 561.42 prohibits manufacturers and distributors from having any financial interest in a vendors license. An exception to these provisions is provided in section 561.221 for beer or wine manufacturers. This section authorizes a licensed manufacturer of malt beverages or wine to hold three vendors licenses to sell these beverages. This section requires that the vendor's location be contiguous to the manufacturing plant.

Section 565.02, Florida Statutes, specifies various alcoholic beverage license fees and license classifications. These classifications include licensees who are authorized to sell alcoholic beverages for on-premises consumption, regardless of alcoholic content.

The sale of alcoholic beverages under the authority of an alcoholic beverage license is confined to the licensed premises only. The application for the license must include the location of the place of business and a sketch describing the premises.

Rules of the Division of Alcoholic Beverages and Tobacco require that licenses may only be issued for a permanent location. However, the rule also provides for a transit license for vendors selling beverages on airplanes, ships and similar means of transportation.

The authority to sell beverages under a license does not include authority to go outside the boundaries of the premises. An additional license would have to be obtained for the additional facilities.

B. Effect of Proposed Changes:

This bill would amend section 561.221 as it applies to malt beverage manufacturers. It authorizes a manufacturer of malt beverages who engages in manufacturing in this state to have unlimited vendor licenses for the retail sale of alcoholic beverages on property which is contiguous to the brewery premises. The property must include a brewery and other structures which promote the brewery and the tourist industry of the state. No more than one public street or highway could separate the complex. This bill increases from the present

statutorily authorized three vendor licenses which can be held by such a manufacturer to an unlimited number of vendor licenses.

The bill provides for the issuance of a master alcoholic beverage license which would authorize various bar locations at theme park entertainment complexes.

The bill specifies that vendors may operate at various locations on the grounds of the theme park if:

1. consumption on premises only is allowed;
2. the complex is composed of at least 25 enclosed acres of land;
3. there are permanent exhibitions in the complex;
4. there is a variety of recreational activity available;
5. at least 1 million visitors annually pay an admission fee at the complex and pass through a controlled entrance and exit;
6. the complex is owned, managed, controlled, and operated by the vendor; and
7. the additional tax specified in the bill is paid.

The bill imposes a tax in an amount of \$1,500 for 5 or fewer additional bar locations, a tax of \$2,500 for 6 to 10 additional bar locations, and \$3,500 for additional bar locations which exceed 10.

The bill provides that, for purposes of the beverage license, the applicant must submit an extended sketch of the premises.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

This bill is designed to allow Florida beer manufacturers to sell their beverages to the public at tourist attractions operated on their licensed premises. A representative of the Division of Alcoholic Beverage and Tobacco has stated that there are four manufacturers in the state that could hold a retailer's license under the current law. Only one now holds a valid retailer's license.

The bill would authorize the sale and consumption of alcoholic beverages on licensed property under the special conditions provided for in the bill. The applicant for this special license would be required to pay the license fee based on the number of locations where beverages would be sold.

B. Government:

The Division of Alcoholic Beverages and Tobacco could anticipate some additional license tax revenue due to the new fee created in the bill. The division indicated the provisions of the bill could impact a number of licensees, but a total revenue increase is not expected to be significant.

III. COMMENTS:

None.

REVISED: June 19, 1984

BILL NO. CS/SB 813

DATE: May 9, 1984

Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

	<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1.	<u>Livingston</u>	<u>Martin</u>	1. <u>Com.</u>	<u>Fav./CS</u>
2.			2. <u>FT & C</u>	
3.			3. _____	

SUBJECT:

Alcoholic Beverages

BILL NO. AND SPONSOR:

CS/HB 183 by Finance and Tax substituted for CS/SB 813 by Commerce and Senator Stuart Ch. 84-142, Laws of Florida

I. SUMMARY:

A. Present Situation:

Currently, section 561.22 prohibits the issuance of alcoholic beverage vendor (retail) licenses to persons licensed as distributors and manufacturers under the beverage law. Section 561.42 prohibits manufacturers and distributors from having any financial interest in a vendors license. An exception to these provisions is provided in section 561.221 for beer or wine manufacturers. This section authorizes a licensed manufacturer of malt beverages or wine to hold three vendors licenses to sell these beverages. This section requires that the vendor's location be contiguous to the manufacturing plant.

Section 565.02, Florida Statutes, specifies various alcoholic beverage license fees and license classifications. These classifications include licensees who are authorized to sell alcoholic beverages for on-premises consumption, regardless of alcoholic content.

The sale of alcoholic beverages under the authority of an alcoholic beverage license is confined to the licensed premises only. The application for the license must include the location of the place of business and a sketch describing the premises.

Rules of the Division of Alcoholic Beverages and Tobacco require that licenses may only be issued for a permanent location. However, the rule also provides for a transit license for vendors selling beverages on airplanes, ships and similar means of transportation.

The authority to sell beverages under a license does not include authority to go outside the boundaries of the premises. An additional license would have to be obtained for the additional facilities.

Section 561.42, Florida Statutes, the tied house evil law, prohibits the exchange of gifts or financial assistance between vendors and distributors or manufacturers of alcoholic beverages. This section does allow a vendor to receive free advertising and promotional material from a manufacturer or distributor.

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B. Effect of Proposed Changes:

This bill would amend section 561.221 as it applies to malt beverage manufacturers. It authorizes a manufacturer of malt beverages who engages in manufacturing in this state to have unlimited vendor licenses for the retail sale of alcoholic beverages on property which is contiguous to the brewery premises. The property must include a brewery and other structures which promote the brewery and the tourist industry of the state. No more than one public street or highway could separate the complex. This bill increases from the present statutorily authorized three vendor licenses which can be held by such a manufacturer to an unlimited number of vendor licenses.

The bill provides for the issuance of a master alcoholic beverage license which would authorize various bar locations at theme park entertainment complexes.

The bill specifies that vendors may operate at various locations on the grounds of the theme park if:

1. consumption on premises only is allowed;
2. the complex is composed of at least 25 enclosed acres of land;
3. there are permanent exhibitions in the complex;
4. there is a variety of recreational activity available;
5. at least 1 million visitors annually pay an admission fee at the complex and pass through a controlled entrance and exit;
6. the complex is owned, managed, controlled, and operated by the vendor; and
7. the additional tax specified in the bill is paid.

The bill provides that, for purposes of the beverage license, the applicant must submit an extended sketch of the premises.

The bill imposes the following annual license fees on a master license holder:

1. the normal liquor license fee based on county population (s. 565.02(1)(b)-(f), F.S.) for the first bar;
2. a fee of \$1,500 for up to five additional bars;
3. a fee of \$2,500 for six to ten additional bars; and
4. a fee of \$3,500 for more than ten additional bars.

The bill specifies that the division adopt rules to conform to federal standards of the Federal Bureau of Alcohol, Tobacco, and Firearms relating to promotional displays and advertising material, which are furnished to a vendor by a manufacturer or distributor.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

This bill is designed to allow Florida beer manufacturers to sell their beverages to the public at tourist attractions operated on their licensed premises. A representative of the Division of Alcoholic Beverage and Tobacco has stated that there are four manufacturers in the state that could hold a retailer's license under the current law. Only one now holds a valid retailer's license.

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Page 3

The bill would authorize the sale and consumption of alcoholic beverages on licensed property under the special conditions provided for in the bill. The applicant for this special license would be required to pay the license fee based on the number of locations where beverages would be sold.

B. Government:

The Division of Alcoholic Beverages and Tobacco could anticipate some additional license tax revenue due to the new fee created in the bill. The division indicated the provisions of the bill could impact a number of licensees, but a total revenue increase is not expected to be significant.

III. COMMENTS:

None.

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such extension upon the sketch accompanying the original
license application

Section 2 This act shall take effect upon becoming a
law.

HOUSE SUMMARY

Provides for licensing of alcoholic beverage sales in
certain theme park complexes Provides for an additional
license tax of \$1,500 for up to 5 additional bars and
\$2,500 for more than 5 bars.

By Senator Stuart-
14-1146-84

See HB 183

1 A bill to be entitled
 2 An act relating to alcoholic beverages,
 3 amending s 565 02, F S , providing for
 4 licensing of alcoholic beverage sales in
 5 certain theme park complexes, providing
 6 additional license taxes, providing an
 7 effective date.

8
9 Be It Enacted by the Legislature of the State of Florida

10
 11 Section 1 Subsections (6), (7), and (8) of section
 12 565 02, Florida Statutes, are renumbered as subsections (7),
 13 (8), and (9), respectively, and a new subsection (6) is added
 14 to said section to read

15 565 02 License fees, vendors, clubs, caterers; and
 16 others --

17 (6) Vendors operating places of business where
 18 consumption on premises is permitted, and said premises are
 19 located within a theme park complex comprising at least 25
 20 enclosed acres of land with permanent exhibitions and a
 21 variety of recreational activities, to which at least 1
 22 million visitors annually pay an admission fee, and said
 23 enclosed area has a controlled entrance and exit, may operate
 24 under a master license issued for the type of service offered,
 25 provided the theme park is owned, managed, controlled, and
 26 operated by said vendor In addition to the license taxes
 27 imposed in paragraphs (1)(b)-(f), an additional tax of \$1,500
 28 shall be imposed for up to five additional bars and \$2,500 for
 29 any number of bars in excess of that amount The enclosed
 30 area within the theme park shall be considered an extension of
 31 the licensed premises upon payment of the fee and notation of

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1 manufacturer is also licensed as a distributor, for the sale
2 of alcoholic beverages on property consisting of a single
3 complex, which property shall include a brewery and such other
4 structures which promote the brewery and the tourist industry
5 of the state. However, such property may be divided by no
6 more than one public street or highway.

7 Section 2 Subsections (6), (7), and (8) of section
8 565.02, Florida Statutes, are renumbered as subsections (7),
9 (8), and (9), respectively, and a new subsection (6) is added
10 to said section to read.

11 565.02 License fees, vendors, clubs; caterers; and
12 others --

13 (6) Vendors operating places of business where
14 consumption on premises is permitted, and said premises are
15 located within a theme park complex comprising at least 25
16 enclosed acres of land with permanent exhibitions and a
17 variety of recreational activities, to which at least 1
18 million visitors annually pay an admission fee, and said
19 enclosed area has a controlled entrance and exit, may operate
20 under a master license issued for the type of service offered,
21 provided the theme park is owned, managed, controlled, and
22 operated by said vendor. In addition to the license taxes
23 imposed in paragraphs (1)(b)-(f), an additional tax of \$1,500
24 shall be imposed for five or fewer additional bars, \$2,500 for
25 six to ten additional bars, and \$3,500 for more than ten
26 additional bars. The enclosed area within the theme park
27 shall be considered an extension of the licensed premises upon
28 payment of the fee and notation of such extension upon the
29 sketch accompanying the original license application.

30 Section 3 This act shall take effect upon becoming a
31 law

By Committee on Commerce and Senator Stuart-

310-1559A-84

CS for SB 813

1 A bill to be entitled
 2 An act relating to alcoholic beverages,
 3 amending s. 561 221, F.S , authorizing the
 4 issuance of vendor's licenses to certain
 5 manufacturers of malt beverages; amending s
 6 565 02, F S , providing for licensing of
 7 alcoholic beverage sales in certain theme park
 8 complexes; providing additional license taxes,
 9 providing an effective date

11 Be It Enacted by the Legislature of the State of Florida.

13 Section 1 Section 561 221, Florida Statutes, is
14 amended to read.

15 561 221 Licensing manufacturers and distributors as
16 vendors prohibited, exceptions --

17 (1) Nothing contained in s. 561 22, s 561.42, or any
 18 other provision of the Beverage Law shall prohibit the
 19 ownership, management, operation, or control of not more than
 20 three vendor's licenses for the sale of alcoholic beverages by
 21 a manufacturer of malt beverages or wine licensed and engaged
 22 in the manufacture of malt beverages or wine in this state,
 23 even if such manufacturer is also licensed as a distributor,
 24 provided that no such vendor's license shall be owned,
 25 managed, operated, or controlled by any licensed manufacturer
 26 of malt beverages or wine unless the licensed premises of the
 27 vendor are situated on property contiguous to the
 28 manufacturing premises of the said licensed manufacturer of
 29 malt beverages or wine

30 (2) The division is authorized to issue vendor's
 31 licenses to a manufacturer of malt beverages, even if such

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as promulgate the Legislature

public document copies to it

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR SENATE BILL SB 813 .

Authorizes a manufacturer of malt beverages who engages in manufacturing in this state to possess an unlimited number of vendor licenses for the retail sale of alcoholic beverages.

Specifies a license fee for additional bar locations at theme park complexes of \$3,500 for more than ten additional bars.

1 such extension upon the sketch accompanying the original
2 license application. 1.24

3 Section 2. This act shall take effect upon becoming a 1.24
4 law.

5 *****
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7 HOUSE SUMMARY

8 Provides for licensing of alcoholic beverage sales in
9 certain theme park complexes. Provides for an additional
license tax of \$1,500 for up to 5 additional bars and
\$2,500 for more than 5 bars.
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By Representative Richmond

A bill to be entitled

An act relating to alcoholic beverages; amending s. 565.02, F.S., providing for licensing of alcoholic beverage sales in certain theme park complexes; providing additional license taxes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (6), (7), and (8) of section 565.02, Florida Statutes, are renumbered as subsections (7), (8), and (9), respectively, and a new subsection (6) is added to said section to read:

565.02 License fees; vendors; clubs; caterers; and others.--

(6) Vendors operating places of business where consumption on premises is permitted, and said premises are located within a theme park complex comprising at least 25 enclosed acres of land with permanent exhibitions and a variety of recreational activities, to which at least 1 million visitors annually pay an admission fee, and said enclosed area has a controlled entrance and exit, may operate under a master license issued for the type of service offered, provided the theme park is owned, managed, controlled, and operated by said vendor. In addition to the license taxes imposed in paragraphs (1)(b)-(f), an additional tax of \$1,500 shall be imposed for up to five additional bars and \$2,500 for any number of bars in excess of that amount. The enclosed area within the theme park shall be considered an extension of the licensed premises upon payment of the fee and notation of

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1	<u>manufacturer is also licensed as a distributor, for the sale</u>	
2	<u>of alcoholic beverages on property consisting of a single</u>	1.24
3	<u>complex, which property shall include a brewery and such other</u>	1.25
4	<u>structures which promote the brewery and the tourist industry</u>	
5	<u>of the state. However, such property may be divided by no</u>	1.26
6	<u>more than one public street or highway.</u>	
7	Section 2. Subsections (6), (7), and (8) of section	1.27
8	565.02, Florida Statutes, are renumbered as subsections (7),	1.28
9	(8), and (9), respectively, and a new subsection (6) is added	
0	to said section to read:	1.29
1	565.02 License fees; vendors; clubs; caterers; and	1.30
2	others.--	
3	<u>(6) Vendors operating places of business where</u>	1:1us
4	<u>consumption on premises is permitted, and said premises are</u>	1.32
5	<u>located within a theme park complex comprising at least 25</u>	
6	<u>enclosed acres of land with permanent exhibitions and a</u>	1.33
7	<u>variety of recreational activities, to which at least 1</u>	1.35
8	<u>million visitors annually pay an admission fee, and said</u>	
9	<u>enclosed area has a controlled entrance and exit, may operate</u>	1.37
0	<u>under a master license issued for the type of service offered,</u>	
1	<u>provided the theme park is owned, managed, controlled, and</u>	1.38
2	<u>operated by said vendor. In addition to the license taxes</u>	1.39
3	<u>imposed in paragraphs (1)(b)-(f), an additional tax of \$1,500</u>	
4	<u>shall be imposed for up to five additional bars, \$2,500 for</u>	1.40
5	<u>six to ten additional bars, and \$3,500 for more than ten</u>	1.41
6	<u>additional bars. The enclosed area within the theme park</u>	1.42
7	<u>shall be considered an extension of the licensed premises upon</u>	1.43
8	<u>payment of the fee and notation of such extension upon the</u>	
9	<u>sketch accompanying the original license application.</u>	1.44
0	Section 3. This act shall take effect upon becoming a	1.44
1	law.	

By Committee on Finance & Taxation and Representative Richmond

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A bill to be entitled
An act relating to alcoholic beverages;
amending s. 561.221, F.S., authorizing the
issuance of vendor's licenses to certain
manufacturers of malt beverages; amending s.
565.02, F.S., providing for licensing of
alcoholic beverage sales in certain theme park
complexes; providing additional license taxes;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 561.221, Florida Statutes, is amended to read:

561.221 Licensing manufacturers and distributors as vendors prohibited; exceptions.--

(1) Nothing contained in s. 561.22, s. 561.42, or any other provision of the Beverage Law shall prohibit the ownership, management, operation, or control of not more than three vendor's licenses for the sale of alcoholic beverages by a manufacturer of ~~malt-beverages-or~~ wine licensed and engaged in the manufacture of ~~malt-beverages-or~~ wine in this state, even if such manufacturer is also licensed as a distributor; provided that no such vendor's license shall be owned, managed, operated, or controlled by any licensed manufacturer of ~~malt-beverages-or~~ wine unless the licensed premises of the vendor are situated on property contiguous to the manufacturing premises of the said licensed manufacturer of ~~malt-beverages-or~~ wine.

(2) The division is authorized to issue vendor's licenses to a manufacturer of malt beverages, even if such

STATE OF FLORIDA
HOUSE OF REPRESENTATIVES

Prepared 04/18/84
by the Committee on
Finance and Taxation

1984
FISCAL NOTE

CS/HB 183
Bill Number
As Introduced

STATE & LOCAL GOVERNMENT IMPACT

In compliance with Rule 7.16, there is hereby submitted a fiscal note on the above listed bill relative to the effect on revenues, expenditures, or fiscal liability of the State, and of Local Governments as a whole.

-
- II. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS
- A. Non-Recurring or First Year Start-up Effects
None

 - B. Recurring or Annualized Continuation Effects
F.Y. 1984-85 revenue effect: Insignificant

 - C. Long Run Effects other than Normal Growth
None

 - D. Appropriations Consequences/Source of Funds
F.Y. 1984-85 administrative cost: None

-
- III. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE
- A. Non-Recurring or First Year Start-up Effects
None

 - B. Recurring or Annualized Continuation Effects
F.Y. 1984-85 revenue effect: Insignificant

 - C. Long Run Effects other than Normal Growth
None

-
- IV. COMMENTS:
This legislation is scheduled to take effect upon becoming a law.


Staff Director

STATE OF FLORIDA
HOUSE OF REPRESENTATIVES

Prepared 04/18/84
by the Committee on
Finance and Taxation

1984
FISCAL NOTE

CS/HB 183
Bill Number
As Introduced

STATE & LOCAL GOVERNMENT IMPACT

In compliance with Rule 7.16, there is hereby submitted a fiscal note on the above listed bill relative to the effect on revenues, expenditures, or fiscal liability of the State, and of Local Governments as a whole.

I. DESCRIPTION OF BILL

A. Fund or Tax Affected

State General Revenue Fund
County & Municipal General Revenue Funds
Alcoholic Beverage License Fees

B. Principal Agency Affected

Department of Business Regulation;
Division of Alcohol & Tobacco

C. Sponsor's Statement of Purpose

To relieve certain tourist attractions from requesting a separate liquor license for each facility operating on their premises.

D. Narrative Summary

Section 1: Amends s. 561.221, F.S. Authorizes the department to issue a beverage license to a malt beverage manufacturer for use on such manufacturer's property, if said property includes a brewery and a tourist facility.

Section 2: Amends s. 565.02, F.S. Allows the division to issue a "master liquor license" to certain theme parks. A master license can only be issued if:

- a. the theme park management operates every premise serving liquor
- b. the park is at least 25 acres in size, and contains permanent exhibitions and recreational activities
- c. the theme park has experienced annual admission in excess of 1 million persons.

The bill imposes the following annual license fees on a master license holder:

- a. the normal liquor license fee based on county population (s. 565.02(1)(b)-(f)) for the first bar;
- b. a fee of \$1,500 for the first five additional bars;
- c. \$2,500 for the next five additional bars; and
- d. \$3,500 for all additional bars in excess of ten.

Requires the theme park to submit a sketch of the park indicating the location of each bar being included on the master license.